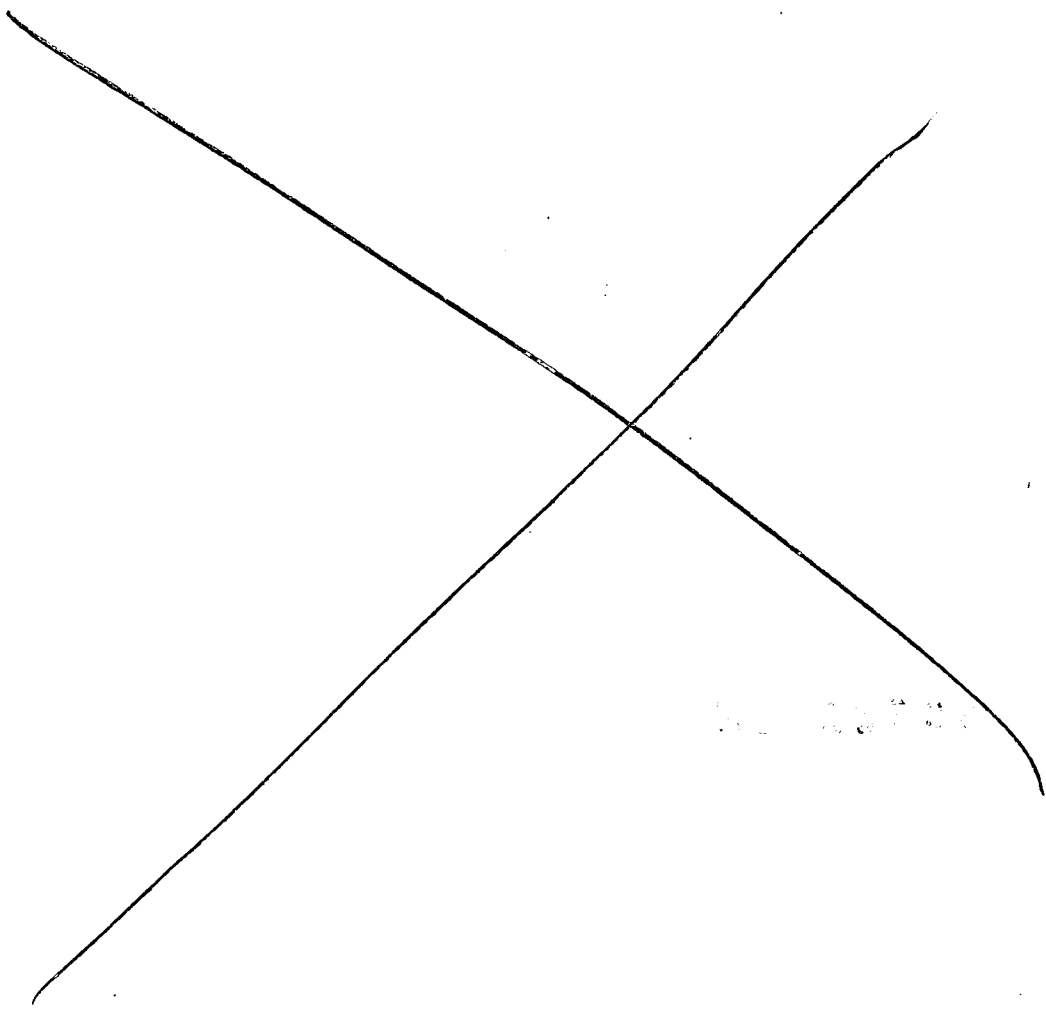


CIT/CASE: BS172934
LEA/DEF#:

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DATE PAID: 03/22/18 08:56 AM
PAYMENT: \$435.00 310
RECEIVED:
CHECK: \$435.00
CASH: \$0.00
CHANGE: \$0.00
CARD: \$0.00



✓

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031712618

1 students at U.C. Berkeley School of Law's Police Advocacy Clinic and documentary filmmakers
2 producing a film on the Greater West Hollywood Food Coalition and the Hollywood Media District
3 BID. Petitioner's work has made a tangible impact on open government and the enforcement of
4 accountability laws. For example, in response to his discovery—via information obtained through
5 public records requests—that private BID patrol operators were not registering with the Los Angeles
6 Police Commission as required by law, the Los Angeles City Attorney resumed enforcement of that
7 provision and a BID patrol was investigated for its use of excessive force. Petitioner has empowered
8 the public to use the CPRA effectively in both research and civic activism by publishing a guide to
9 the practical use of the CPRA in the City of Los Angeles. Petitioner is a member of the public
10 within the meaning of §§ 6252(b)-(c).

11 6. Respondent the Larchmont Village Property Owners Association is a property
12 owners' association pursuant to the Property and Business Improvement District Law of 1994,
13 California Streets & Highways Code §§ 36600, *et seq.*, Respondent contracts with the City of Los
14 Angeles and other entities to manage the Larchmont Village Business Improvement District.
15 Respondent is subject to the CPRA both as a matter of state law (see California Streets & Highways
16 Code § 36612) and under the terms of its contract with the City of Los Angeles.

17 18 JURISDICTION AND VENUE

19 7. This court has jurisdiction under Gov't Code §§ 6258, 6259, Code of Civ. Proc.
20 § 1085, and Article VI, Section 10 of the California Constitution.

21 8. Venue is proper in this Court. The records in question, or some portion of them, are
22 situated in the County of Los Angeles, Gov't Code § 6259; the acts or omissions complained of
23 occurred in the County of Los Angeles, Code of Civ. Proc. § 393; finally, Respondents are located
24 in the County of Los Angeles, Code of Civ. Proc. § 395.

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1 **FACTUAL ALLEGATIONS**

2 9. This petition concerns three separate CPRA requests Petitioner submitted to the BID.
3 Petitioner submitted the requests on April 16, 2017, April 17, 2017, and May 2, 2017. Petitioner
4 submitted the requests to the BID via its agents, including BID President Tom Kneafsey, BID Co-
5 Executive Directors Heather Duffy Boylston and Rebecca Hutchinson, BID attorney J. Thomas
6 Cairns, Jr., and BID Manager Erin Dolan.

7 10. These requests, discussed in more detail below, sought easy-to-provide public
8 records such as communications to the City of Los Angeles, agendas and minutes from BID board
9 meetings, and materials distributed at BID board meetings. To date, Petitioner has not received even
10 a single record in response to these three requests.

11 **Request #1: communications with the City of Los Angeles; minutes of certain BID**
12 **board meetings; and the BID consultant contracts**

13 11. On April 16, 2017, Petitioner submitted a CPRA request ("Request #1") to the BID
14 for three categories of records. Petitioner emailed the request to BID manager Dolan, BID President
15 Kneafsey, and BID Co-Executive Director Boylston. A true and accurate copy of the email
16 containing Request #1 is attached as Exhibit A.

17 12. First, Request #1 sought emails "between anyone at the Larchmont Village BID,
18 staff and board, and anyone at either lacity.org or lapd.online from between January 1, 2016 and
19 March 31, 2017." The request included details as to what was meant by "emails between," and
20 guidance as to the format in which the requested emails should be provided. *See Exhibit A.*

21 13. Second, Request #1 sought copies of the minutes of BID board meetings which took
22 place on October 13, 2014, October 15, 2015, and October 12, 2016, in whatever form those
23 minutes may exist, as the BID is required to maintain by California Corporations Code §1500. *See*
24 *Exhibit A.*

25 14. Third, Request #1 sought contracts between the BID and any consultants it used
26 during its most recent renewal process. *See Exhibit A.*

27 15. The BID did not respond to Request #1 within the 10 day statutory deadline
28 contained in § 6253(c). On May 2, 2017, Petitioner sent a follow-up email to the BID. A true and

1 accurate copy of Petitioner's May 2, 2017, email following up on Request #1 is attached at Exhibit
2 B.

3 16. On May 11, 2017, Petitioner, having still received no response to Request #1, sent a
4 second follow-up to Request #1. In addition to Dolan, Kneafsey, and Boylston, Petitioner also
5 included Hutchinson and Cairns on the email. A true and accurate copy of Petitioner's May 11,
6 2017, second follow-up email to Request #1 is attached as Exhibit C.

7 17. On February 17, 2018, Petitioner sent a final follow-up email to the BID regarding
8 Request #1, as well as Requests #2, and #3. A true and accurate copy of the final follow-up email is
9 attached as Exhibit D.

10 18. Records obtained from the City of Los Angeles via a public records act request
11 indicate that responsive records exist. For example, the Los Angeles City Clerk's office sent
12 Kneafsey an email on January 4, 2017, informing Kneafsey that the BID's annual planning report
13 was approved. Find a true and accurate copy of that email attached as Exhibit E.

14 19. As of this writing, it has been 335 days since Petitioner submitted Request #1 and, to
15 date, the BID has not made a determination of disclosability, has not indicated whether responsive
16 records exist, and has not provided any records in response to Request #1.

17 **Request #2: BID meeting agendas; emails relating to the October 2016 BID board**
18 **meeting and/or emails relating to BID operations from October 2016**

19 20. On April 17, 2017, Petitioner submitted a CPRA request ("Request #2") to the BID
20 for two categories of records. Petitioner emailed the request to Dolan, Kneafsey, and Boylston. A
21 true and accurate copy of the email containing Petitioner's 4/16/17, CPRA request is attached as
22 Exhibit F.

23 21. First, Request #2 sought, "[a]gendas for all meetings of the LVBID Board and its
24 committees, if any, from January 1, 2014 through the present. These should be the copies of the
25 agendas you posted outside your principle office 72 hours in advance of the meetings or 24 hours in
26 advance of meetings called special." *See Exhibit F.*

27 22. Second, Request #2 sought, "all emails between anyone at the BID, staff or Board
28 member, from October 2016, that relates to the October 2016 Board meeting." Petitioner continued

that if there were only a few of these emails, Petitioner would like to see all emails relating to the operation of the BID from October 2016. *See Exhibit F.*

23. The BID did not respond to Request #2 within the 10 day statutory deadline contained in § 6253(c). On April 28, 2017, Petitioner sent a follow-up email to the BID. In addition to inquiring as to the status of Request #2, Petitioner suggested a formatting compromise that might make production easier for the BID. A true and accurate copy of Petitioner's April 28, 2017, email following up on Request #2 is attached at Exhibit G.

24. On May 11, 2017, Petitioner, having still received no response to Request #2, sent a second follow-up to Request #2. In addition to Kneafsey, and Boylston, Petitioner also included Hutchinson and Cairns on the email. A true and accurate copy of Petitioner's May 11, 2017, second follow-up email to Request #2 is attached as Exhibit H.

25. The BID, in the person of Cairns, responded to Request #2 via email on May 16, 2017. The BID's email did not make a determination of disclosability, nor did it confirm the existence of responsive records, nor did it provide any records. Rather, it merely stated, "[t]he LVBID is currently reviewing your request and its records. We expect to respond further within the next 14 days." A true and accurate copy of the BID's May 16, 2017, response is attached as Exhibit I.

26. Having received no further response and no responsive records, Petitioner, on February 17, 2018, sent a final follow-up email to the BID regarding Request #2, as well as to Requests #1 and #3. *See Exhibit D.*

27. As of this writing, it has been 334 days since Petitioner submitted Request #2 and, to date, the BID has not made a determination of disclosability, has not indicated whether responsive records exist, and has not provided any records in response to Request #2.

Request #3: materials distributed at the May 2, 2017, BID board meeting

28. On May 2, 2017, Petitioner submitted a CPRA request ("Request #3") to the BID for a single category of records: electronic copies of all material distributed at the BID's May 2, 2017, board meeting. Because the BID required no time to collect these records, and had no need to determine whether the records were exempt, Petitioner requested the records immediately.

1 Petitioner emailed the request to Kneafsey and Boylston. A true and accurate copy of the email
2 containing Petitioner's 5/2/17, CPRA request is attached as Exhibit J.

3 29. The BID did not respond to Request #3 within the 10 day statutory deadline
4 contained in § 6253(c). On May 30, 2017, Petitioner sent a follow-up email to the BID. In addition
5 to inquiring as to the status of Request #3, Petitioner informed the BID of its duties to possess and
6 disclose the records under the Brown Act and offered to inspect the records in person upon the
7 BID's request. In addition to Kneafsey and Boylston, Petitioner included Carins and Hutchinson on
8 this email. A true and accurate copy of Petitioner's May 30, 2017, email following up on Request
9 #3 is attached at Exhibit K.

10 30. As of this writing, it has been 319 days since Petitioner submitted Request #3 and, to
11 date, the BID has not made a determination of disclosability, has not indicated whether responsive
12 records exist, and has not provided any records in response to Request #3.

13 31. Records obtained from the City of Los Angeles via a public records act request
14 indicate that responsive records exist. On April 28, 2017, Hutchinson sent an email to an employee
15 in the City Clerk's office regarding the May 2, 2017, BID board meeting. Attached to that email
16 were both an agenda for the meeting and a biography of an individual being nominated to the board
17 at the meeting. It is likely the biography was distributed at the meeting. The agenda also included an
18 item titled "[r]eview and vote on amendments to the bylaws." It is likely materials were distributed
19 regarding the bylaws amendment. True and accurate copies of the April 28, 2017, email, as well as
20 the attached board agenda and biography of board nominee Gina St. Aubin are attached as Exhibit
21 L.

FIRST CAUSE OF ACTION

VIOLATION OF THE CALIFORNIA PUBLIC RECORDS ACT

GOV'T CODE § 6250, *et seq.*

26 32. Petitioner incorporates herein by reference the allegations of paragraphs 1 through 31
27 above, as if set forth in full.

28 33. As stated above, Respondent is subject to the CPRA, under both state law and the

1 terms of its contract with the City of Los Angeles. California Streets & Highways Code § 36612.

2 **General principles of the California Public Records Act**

3 34. Under the California Public Records Act, § 6250 *et seq.*, all records that are
4 prepared, owned, used, or retained by any public agency, and that are not subject to the CPRA's
5 statutory exemptions to disclosure, must be made publicly available for inspection and copying
6 upon request. § 6253.

7 35. In enacting the CPRA, the legislature recognized that:

8 A requester, having no access to agency files, may be unable to
9 precisely identify the documents sought. Thus, writings may be
10 described by their content. The agency must then determine whether it
11 has such writings under its control and the applicability of any
exemption. An agency is thus obliged to search for records based on
criteria set forth in the search request.

12 *California First Amendment Coalition v. Superior Court*, 67 Cal. App. 4th 159, 165-66 (1998); *see*
13 § 6253(b).

14 36. Upon receiving a request, an agency must determine whether the request, in whole or
15 in part, seeks copies of disclosable records in the agency's possession. § 6253(c). An agency must
16 inform the requestor as to its determination of disclosability within ten days of the agency's receipt
17 of the request, barring unusual circumstances. § 6253(c). While an agency may adopt requirements
18 for itself that allow for faster, more efficient, or greater public access to records than prescribed by
19 the CPRA's minimum standards, an agency is not permitted to delay or obstruct the inspection or
20 copying of records. § 6253(e); § 6253(d).

21 37. An agency is required to make non-exempt records available "promptly" upon
22 request. § 6253(b).

23 38. Where an agency withholds responsive records on the basis of a statutory exemption,
24 "the agency ... must disclose that fact." *Haynie v. Superior Court* (2001) 26 Cal. 4th 1061, 1072
25 (citing § 6255). The agency bears the burden of justifying nondisclosure. § 6255(a). Even if parts of
26 a particular document are exempt, the agency must disclose the remainder of the document. §
27 6253(a).

28 39. If an agency fails to comply with these statutory provisions, the CPRA authorizes a

1 person to file a petition for writ of mandate to enforce their right to inspect or to receive a copy of
2 the record. § 6258.

3 40. Whenever it is made to appear by verified petition to the superior court of the county
4 where the records or some part thereof are situated that certain public records are being improperly
5 withheld from a member of the public, the court shall order the officer or person charged with
6 withholding the records to disclose the public record or show cause why he or she should not do so.
7 The court shall decide the case after examining the record in camera (if permitted by the Evidence
8 Code), papers filed by the parties, and any oral argument and additional evidence as the court may
9 allow. § 6259(a).

10 41. The CPRA contains a mandatory attorney's fee provision for the prevailing plaintiff.
11 § 6259(d). The purpose of the attorney's fee provision is to provide "protections and incentives for
12 members of the public to seek judicial enforcement of their right to inspect public records subject to
13 disclosure." *Filarsky v. Superior Court* (2002) 28 Cal.4th 419, 427.

14 42. A plaintiff prevails under the CPRA where the plaintiff shows that an agency
15 unlawfully denied access to records. *Community Youth Athletic Center v. City of National City*
16 (2013) 220 Cal.App.4th 1385, 1446-1447. An agency is not protected from liability merely because
17 the denial of access was due to the agency's internal logistical problems or general neglect of its
18 duties. *Id.*

19 **The BID has repeatedly violated the CPRA, most notably by failing to provide**
20 **responsive records**

21 43. Here, Petitioner submitted three requests for various categories of records which are
22 public and not exempt from disclosure. Petitioner's requests triggered Respondent's duty to locate
23 responsive records, to determine whether those records are public and disclosable, and to provide
24 those records promptly.

25 44. Respondent failed all of its duties under the CPRA and, in so doing, denied
26 Petitioner access to all public records Petitioner requested. At no time did Respondent indicate that
27 it had located the requested records. At no time did Respondent make a determination of
28 disclosability. At no time did Respondent state under what exemptions, if any, it was withholding

1 records. Most significantly, at no time did Respondent provide records in response to Request #1,
2 Request #2, or Request #3.

3
4 **A WRIT OF MANDATE FOR DECLARATORY AND INJUNCTIVE RELIEF IS**
5 **APPROPRIATE**

6 45. Respondents have a clear, present, ministerial duty to comply with the California
7 Constitution and Gov't Code § 6250, *et seq.*

8 46. Petitioner has performed all conditions precedent to filing this petition. There are no
9 administrative exhaustion requirements under Gov't Code § 6250, *et seq.*

10 47. Petitioner has no plain, speedy, adequate remedy in the ordinary course of law other
11 than the relief sought in this petition.

12 **PRAYER FOR RELIEF**

13 WHEREFORE, Petitioner prays as follows:

- 14 1. That this Court issue a declaration that Respondent violated the California Public
15 Records Act by its acts and omissions described in this petition.
16 2. That the Court issue a peremptory writ of mandate directing Respondent to locate all
17 requested records and to provide Petitioner with all requested records, except records
18 that the Court determines may lawfully be withheld.
19 3. That Petitioner be awarded attorney's fees and costs; and
20 4. For such other and further relief as the Court deems proper and just.

21
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23 DATED: March 16, 2018

24
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26 
ABENICIO CISNEROS

27 Attorney for Petitioner
28

VERIFICATION

I, ABENICIO CISNEROS, am the attorney for Petitioner Adrian Riskin in this action. Petitioner is absent from the county in which I have my office. I have read the foregoing Petition for Writ of Mandate and know the contents thereof. I am informed and believe that the matters in it are true and on that ground allege that the matters stated in the petition are true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on this the 16th day of March, 2018 at Oakland, California.



Abenicio Cisneros
Attorney for Adrian Riskin

03/17/2018

INDEX OF EXHIBITS

- EXHIBIT A: Petitioner's April 16, 2017, email containing Request #1.
- EXHIBIT B: Petitioner's May 2, 2017, email follow-up to Request #1.
- EXHIBIT C: Petitioner's May 11, 2017, second email follow-up to Request #1.
- EXHIBIT D: Petitioner's February 17, 2018, final email follow-up to Request #1, Request #2, and Request #3.
- EXHIBIT E: January 4, 2017, email from Los Angeles City Clerk employee to BID President Kneafsey.
- EXHIBIT F: Petitioner's April 17, 2017, email containing Request #2.
- EXHIBIT G: Petitioner's April 28, 2017, email follow-up to Request #2.
- EXHIBIT H: Petitioner's May 11, 2017, second email follow-up to Request #2.
- EXHIBIT I: Respondent's May 16, 2017, response to Request #2.
- EXHIBIT J: Petitioner's May 2, 2017, email containing Request #3.
- EXHIBIT K: Petitioner's May 30, 2017, email follow-up to Request #3.
- EXHIBIT L: April 28, 2017, email from BID Co-Executive Director Hutchinson to Los Angeles City Clerk employee regarding the May 2, 2017, BID board meeting and attached agenda and biography of board nominee Gina St. Aubin.

03/22/2018

03/22/2018

EXHIBIT A

CPRA request (LVBID.2017.04.16.a)

From: adrian@mailingaddress.org
To: erin.dolan@dolanknight.com, tom@metropolitanholding.com, heather@h-rpr.com
Subject: CPRA request (LVBID.2017.04.16.a)
Date: Sunday, April 16, 2017 7:41 PM
Size: 2 KB

Good evening, LVBID.

I'd like to inspect the following material:

1. Emails between anyone at the Larchmont Village BID, staff or board, and anyone at either lacity.org or lapd.online from between January 1, 2016 and March 31, 2017. Here "between" means to, from, cc, or bcc. I need to see these emails in some kind of native format, which means eml, msg, mbox, or pst exclusively. I will also need to see the attachments in their native formats, although they will be included automatically if the emails are exported to any of the formats listed. Please note that the html format in which you've previously sent me emails is not a native email format, does not produce copies of the records, and is not acceptable. If it will speed up your production, PDFs with the attachments embedded are a reasonable compromise to make. If you have questions on this, please let me know.

2. I recently asked you for copies of the minutes of your board meetings on October 13, 2014, October 15, 2015 and October 12, 2016. According to your attorney you are unable to locate these minutes. The California Corporations Code at section 1500 requires your organization's minutes to be "kept either in written form or in another form capable of being converted into clearly legible tangible form." Since you don't have them in written form, I'm assuming you have them "in another form capable of being converted" into written form. I would like to inspect copies of the minutes of these three meetings in that form, whatever it might be.

3. A copy of the contract with the BID consultant you all used for your most recent renewal process, if you used a consultant.

Thanks for your cooperation,

Adrian Riskin

04/16/2018

03/22/2018

03/22/2018

EXHIBIT B

Re: CPRA request (LVBID.2017.04.16.a)

From: adrian@mailingaddress.org
To: erin.dolan@dolanknight.com, tom@metropolitanholding.com, heather@h-rpr.com
Subject: Re: CPRA request (LVBID.2017.04.16.a)
Date: Tuesday, May 02, 2017 8:28 PM
Size: 3 KB

Good evening, LVBID friends.

Is there any news on this request? As I'm sure you're aware, the law requires you all to have responded by April 26.

Thanks for your help,

Adrian

On Sun, Apr 16, 2017, at 07:41 PM, adrian@mailingaddress.org wrote:

Good evening, LVBID.

I'd like to inspect the following material:

1. Emails between anyone at the Larchmont Village BID, staff or board, and anyone at either lacity.org or lapd.online from between January 1, 2016 and March 31, 2017. Here "between" means to, from, cc, or bcc. I need to see these emails in some kind of native format, which means eml, msg, mbox, or pst exclusively. I will also need to see the attachments in their native formats, although they will be included automatically if the emails are exported to any of the formats listed. Please note that the html format in which you've previously sent me emails is not a native email format, does not produce copies of the records, and is not acceptable. If it will speed up your production, PDFs with the attachments embedded are a reasonable compromise to make. If you have questions on this, please let me know.

2. I recently asked you for copies of the minutes of your board meetings on October 13, 2014, October 15, 2015 and October 12, 2016. According to your attorney you are unable to locate these minutes. The California Corporations Code at section 1500 requires your organization's minutes to be "kept either in written form or in another form capable of being converted into clearly legible tangible form." Since you don't have them in written form, I'm assuming you have them "in another form capable of being converted" into written form. I would like to inspect copies of the minutes of these three meetings in that form, whatever it might be.

3. A copy of the contract with the BID consultant you all used for your most recent renewal process, if you used a consultant.

Thanks for your cooperation,

Adrian Riskin

03/23/2018

AR 22/2018

03/22/2018

EXHIBIT C

Re: CPRA request (LVBID.2017.04.16.a)

From: adrian@mailingaddress.org
To: tom@metropolitanholding.com, heather@h-rpr.com, rebecca@h-rpr.com,
[J. Thomas Cairns, Jr. <jtcairns@swesq.com>](mailto:J.Thomas.Cairns,Jr.<jtcairns@swesq.com>)
Subject: Re: CPRA request (LVBID.2017.04.16.a)
Date: Thursday, May 11, 2017 7:13 AM
Size: 3 KB

Good morning, LVBID!

Is there any news on this request? A response was due on April 26.

Thanks,

Adrian

On Tue, May 2, 2017, at 08:28 PM, adrian@mailingaddress.org wrote:

Good evening, LVBID friends.

Is there any news on this request? As I'm sure you're aware, the law requires you all to have responded by April 26.

Thanks for your help,

Adrian

On Sun, Apr 16, 2017, at 07:41 PM, adrian@mailingaddress.org wrote:

Good evening, LVBID.

I'd like to inspect the following material:

1. Emails between anyone at the Larchmont Village BID, staff or board, and anyone at either lacity.org or lapd.online from between January 1, 2016 and March 31, 2017. Here "between" means to, from, cc, or bcc. I need to see these emails in some kind of native format, which means eml, msg, mbox, or pst exclusively. I will also need to see the attachments in their native formats, although they will be included automatically if the emails are exported to any of the formats listed. Please note that the html format in which you've previously sent me emails is not a native email format, does not produce copies of the records, and is not acceptable. If it will speed up your production, PDFs with the attachments embedded are a reasonable compromise to make. If you have questions on this, please let me know.

2. I recently asked you for copies of the minutes of your board meetings on October 13, 2014, October 15, 2015 and October 12, 2016. According to your attorney you are unable to locate these minutes. The California Corporations Code at section 1500 requires your organization's minutes to be "kept either in written form or in another form capable of being converted into clearly legible tangible form." Since you don't have them in written form, I'm assuming you have them "in another form capable of being converted" into written form. I would like to inspect copies of the minutes of these three meetings in that form, whatever it might be.

3. A copy of the contract with the BID consultant you all used for your most recent renewal process, if you used a consultant.

03/22/2018

2/16/2018

Re: CPRA request (LVBID.2017.04.16.a) | FastMail

Thanks for your cooperation,

Adrian Riskin

03/22/2018

03/22/2018

03/22/2018

EXHIBIT D

Re: CPRA request (LVBID.2017.04.16.a LVBID.2017.04.17.a LVBID.2017.05.02.a)

From: adrian@mailingaddress.org
To: [Heather Boylston <heather@h-rpr.com>](mailto:heather@h-rpr.com), [Tom Kneafsey <tom@metropolitanholding.com>](mailto:tom@metropolitanholding.com),
[J. Thomas Cairns, Jr. <jtcairns@swesq.com>](mailto:jtcairns@swesq.com), rebecca@h-rpr.com, info@larchmontvillagebid.com,
[Heather Boylston <heather@larchmontvillagebid.com>](mailto:heather@larchmontvillagebid.com)
Subject: Re: CPRA request (LVBID.2017.04.16.a LVBID.2017.04.17.a LVBID.2017.05.02.a)
Date: Saturday, February 17, 2018 3:33 PM
Size: 1 KB

Good afternoon, LVBID.

Last year I sent you CPRA requests on the following dates:

1. April 16, 2017
2. April 17, 2017
3. May 2, 2017

To date I have not received any response to these requests. Please let me know their status as soon as possible.

Thanks,

Adrian Riskin

02/17/2018

03/22/2018

03/22/2018

EXHIBIT E



Rita Moreno <rita.moreno@lacity.org>

Larchmont Village Annual Planning Report Approved

1 message

Clerk NBIDs <Clerk.NBIDS@lacity.org>

To: tom@metropolitanholding.com

Cc: Rita.Moreno@lacity.org

Wed, Jan 4, 2017 at 5:43 PM



Congratulations, we like to inform you that the Larchmont Village annual planning report has been approved.

Attached is the approved clerk report

For questions or comments, please contact the B.I.D. analyst, Rita Moreno:
Rita.Moreno@lacity.org

Thank you,

Office of the City Clerk
Business Improvement Districts (BIDs)
City of Los Angeles



12-0716_rpt_CLK_01-04-2017.pdf

286K

03/22/2018

03/22/2018

03/22/2018

EXHIBIT F

CPRA request (LVBID.2017.04.17.a)

From: adrian@mailingaddress.org
To: erin.dolan@dolanknight.com, [Tom Kneafsey <tom@metropolitanholding.com>](mailto:Tom.Kneafsey@metropolitanholding.com),
[Heather Boylston <heather@h-rpr.com>](mailto:Heather.Boylston@h-rpr.com)
Subject: CPRA request (LVBID.2017.04.17.a)
Date: Monday, April 17, 2017 6:56 AM
Size: 1 KB

Good morning, Larchmont Village.

I'd like to obtain copies in their native electronic format of the following material:

1. Agendas for all meetings of the LVBID Board and its committees, if any, from January 1, 2014 through the present. These should be copies of the agendas you posted outside your principal office 72 hours in advance of the meetings or 24 hours in advance of meetings called special.
2. All emails between anyone at the BID, staff or Board member, from October 2016, that relates to the October 2016 Board meeting. If it's feasible to search for this specific topic, and if there aren't too many of these emails, I'd like to see all emails that relate to the operations of the BID from October 2016.

Thanks for your cooperation,

Adrian Riskin

03/22/2018

03/22/2018

03/22/2018

EXHIBIT G

Re: CPRA request (LVBID.2017.04.17.a)

From: adrian@mailingaddress.org
To: erin.dolan@dolanknight.com, [Tom Kneafsey <tom@metropolitanholding.com>](mailto:Tom.Kneafsey@metropolitanholding.com),
[Heather Boylston <heather@h-rpr.com>](mailto:Heather.Boylston@h-rpr.com), [Heather Boylston <heather@larchmontvillagebid.com>](mailto:Heather.Boylston@larchmontvillagebid.com)
Subject: Re: CPRA request (LVBID.2017.04.17.a)
Date: Friday, April 28, 2017 5:07 PM
Size: 3 KB

Greetings, long incommunicado LVBID friends!

Is there any news on this request? An initial response was due yesterday.

Also, I notice from an email recently sent to me by Heather D. Boylston with an attached agenda that at least some of you BID-folks use Outlook. If it would make it easier for you to respond to this request in something approximating a timely manner, I would be willing to accept, rather than natively formatted copies of emails (eml, msg, mbox, or pst), the kind of PDF with embedded attachments that Outlook can produce, possibly in combination with some kind of Adobe software.

Nicole Shahanian, ED of your friendly neighbor to the Northeast, uses this to make copies of emails for me, and perhaps she'd be willing to help you get started with it if you don't know what I mean. Please note though, that as I said above, this PDF format is a compromise, and is only acceptable in lieu of actual copies of emails in the above-listed formats if its use will make the CPRA process significantly faster.

Thanks again for all your forthcoming help,

Adrian

On Mon, Apr 17, 2017, at 06:56 AM, adrian@mailingaddress.org wrote:

Good morning, Larchmont Village.

I'd like to obtain copies in their native electronic format of the following material:

1. Agendas for all meetings of the LVBID Board and its committees, if any, from January 1, 2014 through the present. These should be copies of the agendas you posted outside your principal office 72 hours in advance of the meetings or 24 hours in advance of meetings called special.
2. All emails between anyone at the BID, staff or Board member, from October 2016, that relates to the October 2016 Board meeting. If it's feasible to search for this specific topic, and if there aren't too many of these emails, I'd like to see all emails that relate to the operations of the BID from October 2016.

Thanks for your cooperation,

Adrian Riskin

03/22/2018

03/22/2018

03/22/2018

EXHIBIT H

Re: CPRA request (LVBID.2017.04.17.a)

From: adrian@mailingaddress.org
To: [Tom Kneafsey <tom@metropolitanholding.com>](mailto:tom@metropolitanholding.com), [Heather Boylston <heather@h-rpr.com>](mailto:heather@h-rpr.com),
[Heather Boylston <heather@larchmontvillagebid.com>](mailto:heather@larchmontvillagebid.com), rebecca@h-rpr.com,
[J. Thomas Cairns, Jr. <jtcairns@swesq.com>](mailto:jtcairns@swesq.com)
Subject: Re: CPRA request (LVBID.2017.04.17.a)
Date: Thursday, May 11, 2017 7:14 AM
Size: 3 KB

Good morning, LVBID.

Is there any news on this request? A response is now close to four weeks overdue.

thanks,

Adrian

On Fri, Apr 28, 2017, at 05:07 PM, adrian@mailingaddress.org wrote:

Greetings, long incommunicado LVBID friends!

Is there any news on this request? An initial response was due yesterday.

Also, I notice from an email recently sent to me by Heather D. Boylston with an attached agenda that at least some of you BID-folks use Outlook. If it would make it easier for you to respond to this request in something approximating a timely manner, I would be willing to accept, rather than natively formatted copies of emails (eml, msg, mbox, or pst), the kind of PDF with embedded attachments that Outlook can produce, possibly in combination with some kind of Adobe software.

Nicole Shahanian, ED of your friendly neighbor to the Northeast, uses this to make copies of emails for me, and perhaps she'd be willing to help you get started with it if you don't know what I mean. Please note though, that as I said above, this PDF format is a compromise, and is only acceptable in lieu of actual copies of emails in the above-listed formats if its use will make the CPRA process significantly faster.

Thanks again for all your forthcoming help,

Adrian

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Good morning, Larchmont Village.

I'd like to obtain copies in their native electronic format of the following material:

1. Agendas for all meetings of the LVBID Board and its committees, if any, from January 1, 2014 through the present. These should be copies of the agendas you posted outside your principal office 72 hours in advance of the meetings or 24 hours in advance of meetings called special.
2. All emails between anyone at the BID, staff or Board member, from October 2016, that relates to the October 2016 Board meeting. If it's

2/16/2018

Re: CPRA request (LVBID.2017.04.17.a) | FastMail

feasible to search for this specific topic, and if there aren't too many of these emails, I'd like to see all emails that relate to the operations of the BID from October 2016.

Thanks for your cooperation,

Adrian Riskin

02/22/2018

03/22/2018

03/22/2018

EXHIBIT I

RE: CPRA request (LVBID.2017.04.17.a)

From: J. Thomas Cairns, Jr. <jtcairns@swesq.com>
To: adrian@mailingaddress.org, Tom Kneafsey <tom@metropolitanholding.com>, Heather Boylston <heather@h-rpr.com>, Heather Boylston <heather@larchmontvillagebid.com>, rebecca@h-rpr.com
Cc: Colleen Flynn <cflynnlaw@yahoo.com>
Subject: RE: CPRA request (LVBID.2017.04.17.a)
Date: Tuesday, May 16, 2017 11:53 AM
X-Delivered-To: adrian@mailingaddress.org
Size: 40 KB

Mr. Riskind,

The LVBID is currently reviewing your request and its records. We expect to respond further within the next 14 days.

Best Regards,
 Tom Cairns



J. Thomas Cairns, Jr.
 Senior Counsel

333 South Hope Street, 36th Floor
 Los Angeles, CA 90071

T: (213) 229-2868
 F: (213) 229-2870
 W: www.swesq.com

This email communication may contain CONFIDENTIAL INFORMATION WHICH ALSO MAY BE LEGALLY PRIVILEGED and is intended only for the use of the intended recipients identified above. If you are not the intended recipient of this communication, you are hereby notified that any unauthorized review, use, dissemination, distribution, downloading, or copying of this communication is strictly prohibited. If you are not the intended recipient and have received this communication in error, please immediately notify us by reply email, delete the communication and destroy all copies.

IRS CIRCULAR 230 NOTICE: To ensure compliance with requirements imposed by the Internal Revenue Service, we inform you that any U.S. tax advice contained in this communication (or in any attachment) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed in this communication (or in any attachment).

-----Original Message-----

From: adrian@mailingaddress.org [mailto:adrian@mailingaddress.org]

Sent: Thursday, May 11, 2017 7:14 AM

To: Tom Kneafsey <tom@metropolitanholding.com>; Heather Boylston <heather@h-rpr.com>; Heather Boylston <heather@larchmontvillagebid.com>; rebecca@h-rpr.com; J. Thomas Cairns, Jr. <jtcairns@swesq.com>

Subject: Re: CPRA request (LVBID.2017.04.17.a)

Good morning, LVBID.

Is there any news on this request? A response is now close to four weeks overdue.

thanks,

Adrian

On Fri, Apr 28, 2017, at 05:07 PM, adrian@mailingaddress.org wrote:

> Greetings, long incommunicado L' friends!
>
> Is there any news on this request? An initial response was due
> yesterday.
>
> Also, I notice from an email recently sent to me by Heather D.
> Boylston with an attached agenda that at least some of you BID-folks use Outlook.
> If it would make it easier for you to respond to this request in
> something approximating a timely manner, I would be willing to accept,
> rather than natively formatted copies of emails (eml, msg, mbox, or
> pst), the kind of PDF with embedded attachments that Outlook can
> produce, possibly in combination with some kind of Adobe software.
>
> Nicole Shahanian, ED of your friendly neighbor to the Northeast, uses
> this to make copies of emails for me, and perhaps she'd be willing to
> help you get started with it if you don't know what I mean. Please
> note though, that as I said above, this PDF format is a compromise,
> and is only acceptable in lieu of actual copies of emails in the
> above-listed formats if its use will make the CPRA process significantly faster.
>
> Thanks again for all your forthcoming help,
>
> Adrian
>
> On Mon, Apr 17, 2017, at 06:56 AM, adrian@mailingaddress.org wrote:
>> Good morning, Larchmont Village.
>>
>> I'd like to obtain copies in their native electronic format of the
>> following material:
>>
>> 1. Agendas for all meetings of the LVBID Board and its committees,
>> if any, from January 1, 2014 through the present. These should be
>> copies of the agendas you posted outside your principal office 72
>> hours in advance of the meetings or 24 hours in advance of meetings
>> called special.
>>
>> 2. All emails between anyone at the BID, staff or Board member, from
>> October 2016, that relates to the October 2016 Board meeting. If
>> it's feasible to search for this specific topic, and if there aren't
>> too many of these emails, I'd like to see all emails that relate to
>> the operations of the BID from October 2016.
>>
>> Thanks for your cooperation,
>>
>> Adrian Riskin

03/22/2018

02/22/2018

03/22/2018

EXHIBIT J

CPRA request (LVBID.2017.05.02.a)

From: adrian@mailingaddress.org
To: [Heather Boylston <heather@h-rpr.com>](mailto:heather@h-rpr.com), [Tom Kneafsey <tom@metropolitanholding.com>](mailto:tom@metropolitanholding.com)
Subject: CPRA request (LVBID.2017.05.02.a)
Date: Tuesday, May 02, 2017 8:26 PM
Size: 924 B

Good evening, LVBID friends.

Can you please send me electronic copies of all material distributed at your meeting this morning? Also, can you please send them immediately as required by CPRA? As I'm sure you're aware, that 10 day reply deadline in CPRA is meant for collecting records and deciding whether they're exempt. These aren't exempt by definition and you all almost certainly have them in one place already.

Thanks,

Adrian

05/02/2018

03/22/2018

03/22/2018

EXHIBIT K

Re: CPRA request (LVBID.2017.05.02.a)

From: adrian@mailingaddress.org
To: [Heather Boylston <heather@h-rpr.com>](mailto:heather@h-rpr.com), [Tom Kneafsey <tom@metropolitanholding.com>](mailto:tom@metropolitanholding.com),
[J. Thomas Cairns, Jr. <jtcairns@swesq.com>](mailto:jtcairns@swesq.com), rebecca@h-rpr.com
Subject: Re: CPRA request (LVBID.2017.05.02.a)
Date: Tuesday, May 30, 2017 4:06 PM
Size: 2 KB

Good afternoon, LVBID.

I am worried that perhaps you haven't understood something about the nature of this request or of the CPRA or the Brown Act. The Brown Act requires you to make the information I've requested here available at the actual meeting. Thus there's no question about whether or not it is exempt under the CPRA. It is not exempt due to an express provision of the Brown Act.

The CPRA requires you to make non-exempt information available promptly. The 10/24 days allowed for response are allowed only for the purpose of determining if the requested material exists and, if so, if it's exempt. Neither of those reasons for delay apply here. Thus you are required to have made this material available as soon as I requested it. Even if that were not the case, the longest conceivable deadline allowed by the CPRA under any circumstances whatsoever expired on Friday, May 26.

Please either send me copies immediately or let me know when I can come in to your office to look at them. Any time tomorrow or Thursday works for me.

thanks,

Adrian

On Tue, May 2, 2017, at 08:26 PM, adrian@mailingaddress.org wrote:

Good evening, LVBID friends.

Can you please send me electronic copies of all material distributed at your meeting this morning? Also, can you please send them immediately as required by CPRA? As I'm sure you're aware, that 10 day reply deadline in CPRA is meant for collecting records and deciding whether they're exempt. These aren't exempt by definition and you all almost certainly have them in one place already.

Thanks,

Adrian

03/22/2018

03/22/2018

EXHIBIT L



Rita Moreno <rita.moreno@lacity.org>

Larchmont Village BID Board meeting on Tuesday

2 messages

Rebecca Hutchinson <rebecca@larchmontvillagebid.com>

Fri, Apr 28, 2017 at 3:35 PM

To: Rita Moreno <rita.moreno@lacity.org>

Cc: Heather Duffy Boylston <heather@larchmontvillagebid.com>, Tom Kneafsey <tom@metropolitanholding.com>

Hi Rita — We are having the Larchmont Village BID Board meeting this Tuesday morning at 9am. Attached is the agenda and a brief bio on Gina St. Aubin as she will be nominated to our board at this meeting.

Location: 200 North Larchmont at 9:00 on Tuesday, May 2.

Please let me know if you'll be able to attend.

Thanks!

Rebecca

Rebecca Hutchinson
Co-Executive Director
Larchmont Village Business Improvement District
200 N. Larchmont Blvd.
Los Angeles, CA 90004
www.larchmontvillagebid.com

rebecca@larchmontvillagebid.com
323.646.6406

2 attachments

 **Agenda_May 2_final.docx**
328K

 **Gina R St. Aubin BIO.docx**
14K

Rita Moreno <rita.moreno@lacity.org>

Fri, Apr 28, 2017 at 5:14 PM

To: Rebecca Hutchinson <rebecca@larchmontvillagebid.com>

Cc: Heather Duffy Boylston <heather@larchmontvillagebid.com>, Tom Kneafsey <tom@metropolitanholding.com>

Hi Rebecca,

Thank you for the notice. Yes, I'll join you.

Have a great weekend!

Rita

[Quoted text hidden]

--
Rita Moreno
City of Los Angeles
Office of the City Clerk
Neighborhood and Business Improvement District Division
200 N. Spring Street, 2nd Floor #237
Los Angeles, CA 90012

Office (213) 978-1122
Fax (213) 978-1130



03/22/2018

LVBID

LARCHMONT VILLAGE BUSINESS IMPROVEMENT DISTRICT

Larchmont Village Property Owners Assoc.
Board Meeting Agenda
May 2, 2017 @ 9:00 A.M.
200 North Larchmont Blvd.
Los Angeles, CA 90004

I. Call to Order & Roll Call

II. Public Comments

The Larchmont Business Improvement District (LVBID) welcomes the community to our Board meetings. Due to the Brown Act, the Board hears public comment but does not engage in dialogue with public speakers and will refer items to the Board for follow up as needed. At this time any person wishing to speak to any item not on the agenda will be granted three minutes to make a public comment to the Board of Directors. Any person wishing to speak to any item on the agenda can either make the public comment (not to exceed three minutes) at this time or when the item comes up on the agenda.

III. Reports to the Board

- a. Brown Act review
- b. Nominate Gina St. Aubin to the Board
- c. Nominate new secretary
- d. Website update
- e. New tenant update
- f. Trees/Sidewalks update/recommendations from Tree Case Mgmt.
- g. Review and vote on amendments to bylaws

IV. Adjournment

03/22/2018

This legislative body conducts business under the meeting requirements of the Ralph M. Brown Act.

MEETING AGENDA & RELATED MATERIALS

Agendas for regular board meetings as defined by the Brown Act will be posted at the meeting site and the legislative body's website, if applicable, at least 72 hours prior to the start of the meeting. Agendas for special meetings as defined by the Brown Act will be posted at the meeting site and the legislative body's website, if applicable, 24 hours prior to the start of the meeting. Materials relating to an agenda topic that is a matter of public record in open session, will be made available for public inspection 72 hours prior to the start of the meeting, or, alternatively, when the materials are distributed to at least a majority of board members.

THE ORDER OF BUSINESS MAY BE CHANGED WITHOUT NOTICE

Notice is hereby given that the order of consideration of matters on this agenda may be changed without prior notice.

REASONABLE ACCOMMODATION WILL BE PROVIDED FOR ANY INDIVIDUAL WITH A DISABILITY

In compliance with the Americans with Disabilities Act and its implementing regulations, the LVBID will provide reasonable accommodations upon request, which must be received 48 hours in advance of the desired meeting date. To request such an accommodation, please contact Heather Boylston at 323-463-4220 or heather@larchmontvillage.com.

Posted Friday, April 27, 2017

Gina R. St. Aubin, CPM

Gina St. Aubin is a real estate professional, currently working for Simms, Inc., a real estate development and investment company located in Los Angeles, California. Gina has been involved with the real estate industry for approximately 20 years and has held positions both on the "tenant" and "landlord" side with companies such as Home Savings of America, Times Mirror, Mutual of New York, Charles Dunn, Colliers International and privately owned real estate investment groups in Los Angeles and San Diego County.

03/22/2018

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, Street address, number, and address): Abenicio Cisneros, SBN 302765 268 Park View Terrace Oakland CA 94610		FOR COURT USE ONLY FILED Superior Court of California County of Los Angeles MAR 20 2018 Sherri R. Carter, Executive Officer/Clerk of Court By <u><i>[Signature]</i></u> , Deputy Glorietta Robinson	
TELEPHONE NO.: 707-653-0438 ATTORNEY FOR (Name): Adrian Riskin		FAX NO.:	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 North Hill St. MAILING ADDRESS: 111 North Hill St. CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Stanley Mosk Courthouse			
CASE NAME: Riskin v. Larchmont Village Property Owners Association			
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)		Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	
		CASE NUMBER: BS172934	
		JUDGE: DEPT:	

Items 1–6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input checked="" type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
--	---	---

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties
b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
c. <input type="checkbox"/> Substantial amount of documentary evidence | d. <input type="checkbox"/> Large number of witnesses
e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
|--|--|

3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☐ punitive

4. Number of causes of action (specify): **California Public Records Act**

5. This case ☐ is ☒ is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: **3/16/18**

Abenicio Cisneros

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on **all** other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court.

Step 1: After completing the Civil Case Cover Sheet (Judicial Council form CM-010), find the exact case type in Column A that corresponds to the case type indicated in the Civil Case Cover Sheet.

Step 2: In Column B, check the box for the type of action that best describes the nature of the case.

Step 3: In Column C, circle the number which explains the reason for the court filing location you have chosen.

Applicable Reasons for Choosing Court Filing Location (Column C)

- | | |
|--|--|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, Central District. | 7. Location where petitioner resides. |
| 2. Permissive filing in central district. | 8. Location wherein defendant/respondent functions wholly. |
| 3. Location where cause of action arose. | 9. Location where one or more of the parties reside. |
| 4. Mandatory personal injury filing in North District. | 10. Location of Labor Commissioner Office. |
| 5. Location where performance required or defendant resides. | 11. Mandatory filing location (Hub Cases – unlawful detainer, limited non-collection, limited collection, or personal injury). |
| 6. Location of property or permanently garaged vehicle. | |

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1, 4, 11
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1, 4, 11
Other Personal Injury/Property Damage/Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	1, 11 1, 11
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1, 4, 11
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons	1, 4, 11
		<input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1, 4, 11
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1, 4, 11 1, 4, 11 1, 4, 11 1, 4, 11

SHORT TITLE:

Riskin v. Larchmont Village Property Owners Association

CASE NO.

R

Non-Personal Injury/Property
Damage/Wrongful Death Tort

Employment

Contract

Real Property
Unlawful Detainer

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1, 2, 3
Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1, 2, 3
Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1, 2, 3
Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1, 2, 3
Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1, 2, 3 1, 2, 3
Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	1, 2, 3
Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1, 2, 3
Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1, 2, 3 10
Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2, 5 2, 5 1, 2, 5 1, 2, 5
Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case <input type="checkbox"/> A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	5, 6, 11 5, 11 5, 6, 11
Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1, 2, 5, 8
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1, 2, 3, 5 1, 2, 3, 5 1, 2, 3, 8, 9
Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels_____	2, 6
Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2, 6
Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6 2, 6 2, 6
Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	6, 11
Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	6, 11
Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2, 6, 11
Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2, 6, 11

SHORT TITLE:

Riskin v. Larchmont Village Property Owners Association

CASE NO.

R

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2, 3, 6
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2, 5
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input checked="" type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2, 8 2 2
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2, 8
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1, 2, 8
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1, 2, 3
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1, 2, 8
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1, 2, 8
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1, 2, 3, 8
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2, 5, 11 2, 6 2, 9 2, 8 2, 8 2, 8, 9
	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1, 2, 8
	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1, 2, 8 2, 8 1, 2, 8 1, 2, 8
	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2, 8
	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name/Change of Gender <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2, 3, 9 2, 3, 9 2, 3, 9 2 2, 7 2, 3, 8 2, 9

SHORT TITLE: Riskin v. Larchmont Village Property Owners Association	CASE NO. _____ R _____
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Step 4: Statement of Reason and Address: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected. Enter the address which is the basis for the filing location, including zip code. (No address required for class action cases).

REASON: <input type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input type="checkbox"/> 11.	ADDRESS: 200 N. Larchmont Blvd.			
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; padding: 5px;"> CITY: Los Angeles </td> <td style="width: 33%; padding: 5px;"> STATE: CA </td> <td style="width: 33%; padding: 5px;"> ZIP CODE: 90004 </td> </tr> </table>	CITY: Los Angeles	STATE: CA	ZIP CODE: 90004	
CITY: Los Angeles	STATE: CA	ZIP CODE: 90004		

Step 5: Certification of Assignment: I certify that this case is properly filed in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., §392 et seq., and Local Rule 2.3(a)(1)(E)].

Dated: 3/16/18


 (SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 02/16).
5. Payment in full of the filing fee, unless there is court order for waiver, partial or scheduled payments.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

03/17/2018